

EXHIBIT A

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF LAWRENCE)

I Michael H. Data, hereby state that the following facts are true and correct to the best of my knowledge, information and belief:

1. My address is 1207 Old Princeton Road, New Castle, Pennsylvania 16101.
2. Between June 1969 and March 1973, I served in the United States Navy. After basic training, I was assigned to the USS Newport News (CA-148). This was a heavy cruiser. I served in the engine room as a fireman for the remainder of my time in the Navy.
3. Aboard the USS Newport News, there were various pieces of equipment that I worked around and with, including pumps, valves, turbines, steam traps, boilers, motors, blowers, heat exchangers, generators, and electrical control panels.
4. As a fireman in the Navy, I repaired and maintained pumps and valves in the engine room of the ship. This work involved handling asbestos-containing gaskets and packing. The gaskets were in the form of a sheet of fiberous material and the packing was a rope like material. The gaskets usually needed to be cut to fit the application. Sometimes they arrived pre-cut. The packing also needed to be cut. My cutting and handling of the new gaskets and packing created dust which I breathed.
5. When repairing pumps and valves, I regularly had to remove old gaskets from pump and valve flanges, and pump housings, and remove packing from pump shafts, stuffing boxes, and valve packing glands. I typically removed the gaskets

with a scraper and a wire brush or a pneumatic wire wheel, and this created dust which I breathed. I typically removed the packing with a packing puller or other tool and this created dust which I breathed.

6. During my time in the Navy, I was regularly exposed to asbestos dust from the use, handling, installation, cutting and removal, by myself and others, of gaskets and packing from pumps, valves, steamtraps, and all of the other equipment. This was a regular and frequent occurrence during my time aboard the USS Newport News.
7. Some of the brands of equipment that I worked on and around while aboard the USS Newport News are: **Babcock & Wilcox** boilers, **Westinghouse** blowers and generators, **General Electric** turbines and generators, pumps made by **Buffalo**, **Warren**, **Quimby**, **DeLaval**, **Nash**, **Worthington**, **Goulds** and **Ingersoll-Rand**, and valves made by **Foster Engineering** and **Crane**. The names of these various pieces of equipment were printed on the equipment.
8. I worked on all of these pieces of equipment and installed and removed asbestos-containing gaskets or packing from each of these brands of pumps, valves, boilers and turbines, in the manner previously described. The boilers and turbines were insulated with asbestos block insulation that was very dusty. Sometimes I and other workers removed and replaced the heat insulation that encased various pipes, pumps, valves, turbines, and steamtraps on the ship. This material was brittle and dusty, and sometimes created dust just by brushing against it. I was exposed to dust from the use of these materials on all of this equipment in the

confined engine compartments of the ship on a regular and frequent basis during my time in the Navy.

9. For a portion of my time aboard the USS Newport News, the ship was in drydock in Portsmouth, Virginia. Refitting work was performed by outside contracting companies during this time. I remained on the ship during this time and was in the vicinity of the workers who were performing various tasks, including maintenance on all of the aforementioned boilers, pumps, valves, turbines, generators, steamlines, steam traps and electrical gear. These workers handled gaskets, packing and heat insulation in the performance of their job duties, in the same manner as I previously described, and that work created dust which I breathed.
10. There was a crane in the shipyard that was used in the performance of the refitting work. This was a gantry style crane and it was made by **Shawbox**. I worked in close proximity to this crane during the time the ship was in drydock and was in the area when the brakes on the crane were applied. This created dust which I breathed.
11. Between July 1973 and August 1974, I was employed by **Crane Co.** at their foundry on Cass Street in New Castle, Pennsylvania. This foundry made steel castings for the plumbing industry, as well as for outside customers. I worked in the core department. There was a cupola, shot blaster, shake out machine, crucibles, hoists, molds, and grinding machines at this foundry. I was not in maintenance, but I worked around maintenance workers at the foundry who performed work on pipes, pumps, valves, the cupola, and the ladles and crucibles.

These workers used heat resistant gaskets, packing and refractory brick, and cement to do their jobs. Additionally, production workers who handled hot metal wore heat resistant gloves and clothing which I believe were asbestos because they were heat resistant. The use of all of these products created dust which I breathed. The air in the foundry was generally very dusty. I was exposed to asbestos during my time at Crane. I was only periodically given a paper mask, and no other breathing protection during my time at Crane, and I was never warned that asbestos could be harmful.

12. Between October 1974 and June 1982, I worked at **Mesta Machine** on George and Moravia Streets in New Castle, Pennsylvania. I was employed as a laborer, boiler operator, machine helper, machine painter, and highlift driver during this time. The Mesta facility was a machine shop that made very large industrial presses and shears and other equipment. I operated boilers and drove a forklift, among other tasks. The forklifts were manufactured by **Clark** and **Hyster**. Operating this equipment necessitated applying the brakes regularly.
13. I maintained boilers, pumps and valves at the Mesta plant. I know that there were **Ingersoll-Rand** boiler feed pumps, and **Babcock & Wilcox** boilers at the Mesta plant. These pumps and boilers required gaskets and packing, and I removed and replaced gaskets and packing in the same manner as previously described. I also recall **Mesta** brand machine tools and equipment at the plant.
14. I worked around maintenance workers who performed work on pipes, pumps, boilers, and valves at Mesta. These workers used heat resistant gaskets and packing to do their jobs. The use of these products created dust which I breathed.

I was exposed to asbestos during my time at Mesta. I was only periodically given a paper mask, and no other breathing protection during my time at Mesta, and I was never warned that asbestos could be harmful.

15. Between November 1983 and October 2009, I worked at the New Castle Power Plant (a.k.a. West Pittsburgh Power Plant) in New Castle, Pennsylvania. I was employed by Pennsylvania Power Company for most of my time there. I was employed first as a boiler tender, then as a power plant operator for the balance of my career at the plant. The power plant made electricity from coal, and there were five units consisting of boilers, turbines, generators, pumps, valves, electrical equipment, fly ash and soot handling equipment, coal pulverizers and coal handling equipment, pollution control systems, fans, blowers and steam traps. I performed maintenance work myself, or worked around others who did maintenance, on all of these pieces of equipment during my time at the plant. That work often involved the use of asbestos-containing gaskets and packing, the handling of which created dust which I breathed.

16. At the power plant, I recall **Westinghouse** turbines, two **Foster Wheeler** pulverizers on Unit One, **Goulds** pumps, **Ingersoll-Rand** pumps, **Honeywell** valves, **Crane** valves, **Copes-Vulcan** valves, **Peerless** pumps, **DeLaval** pumps, **DeZurik** valves, **Warren** pumps, **United Conveyor** coal handling equipment. We also had a **Joy** air compressor at the plant. The brand names were printed on the equipment. All of this equipment required asbestos-containing packing and gaskets, which I installed and used as previously described. I also worked in close proximity to other workers who performed maintenance work on this

equipment using gaskets and packing in the same manner as previously described. I was exposed to and breathed dust created by this work on these pieces of equipment during the early and mid-1980s.

17. At the power plant, I worked in close proximity to the workers in the maintenance crew. Some of the workers I recall from the plant are: Greg Thomas, James Minner, Everett McGuire, Jack Shaw, Ronald Kennedy and David Cain. I worked in close proximity to each of these men on a frequent basis during my time at the power plant. They utilized materials that contained asbestos in the performance of their job duties, and I was exposed to dust created by their work. The power station was a closed in area with grated floors, so dust created on one level circulated to other levels. I could observe workers in other units of the power plant doing their jobs because the inside of the plant was open.
18. At the power plant, **Westinghouse** engineers periodically visited the plant on shut-downs to provide advice to the workers who were performing duties on the turbines. The Westinghouse workers observed the work processes described in this affidavit. Nobody from Westinghouse ever warned me that asbestos could be hazardous.
19. I recall that there were dump trucks manufactured by **International** and **Caterpillar** bulldozers at the power plant. I worked in the vicinity when workers performed brake maintenance work on this equipment. I was exposed to dust from brake work on this equipment in the early and mid-1980s.
20. At the power plant, I worked in the vicinity of individuals operating forklifts that were manufactured by **Clark**. The forklifts were used to perform various duties

and move equipment and materials around the plant. The operators stepped on the brake pedal to apply the brakes of the forklifts regularly. I have frequently been in the vicinity when this occurred.

21. Outside contractors visited the power plant during my career. I know that **Simakas** was one such contractor. Simakas was hired to perform work during shut-downs at the plant, and they brought a large crew of workers to do boiler repairs and service work on other equipment. They were at the plant on several occasions during my career. Their employees handled gaskets and packing in the manner I previously described. I believe I was exposed to asbestos through the work of Simakas employees during the 1980s.
22. The predominant brands of packing and gaskets that I have used and been exposed to during my career, between the 1960s and the mid-1980s, are: **Powerite, Garlock, Anchor, Goodyear, and Johns-Manville**. I personally used these brands of packing in the manner previously described. Sometimes these brand names of the gasket material were still visible on the old gaskets that we removed with scrapers and wire brushes. Additionally, I have worked in the vicinity of others who handled and installed and removed these brands of material in the manner I previously described.
23. During my entire career, I have worked around electrical control panels that contained arc shields and controllers. I worked around maintenance people and electricians who repaired this equipment. They used compressed air to blow out dust from the control panels. This work created airborne dust which I breathed whenever I was around this equipment, up until the mid-1980s. Two of the

manufacturers that I associate with this equipment are **Square D** and **Westinghouse**. These names appeared on the electrical control panels.

24. I performed automotive maintenance on my cars and family member vehicles, from about 1968 onward. I have used brakes made by **Bendix** and **Rayloc**, clutches made by **Borg-Warner**, and engine gaskets made by **Victor**. I obtained automotive brakes and clutches from **NAPA**. I obtained **Fomoco** brand automotive brakes from Ford. I used all of these products on many occasions during the 1960s and the 1970s and early 1980s. These brand names were printed on the packages of the material, and sometimes on the material itself. When I installed brakes, I typically used emery cloth to scuff up the surface of the pad. I used compressed air to blow the dust out of the brake and clutch mechanisms. I used a scraper or wire brush to remove old engine gaskets. All of these practices and products created dust which I breathed whenever I did brake work.

25. I also recall using **DAP** brand caulking in the mid to late 1970s. This material came in a tube with the name DAP on it. I have used, installed, and cleaned up this material in residential applications.

26. I have performed home remodeling work using joint compound during the mid to late 1970s. I recall **Georgia Pacific**, **Gold Bond** and **US Gypsum** brands of joint compound and have used each of these brands of ready mix joint compound during this time. This material was pre-mixed in buckets with the brand names on them, but after it was applied, it hardened and needed to be sanded to smooth the walls. The sanding of these brands of joint compounds created dust which I breathed.

27. I believe that the products identified in this affidavit contained asbestos because I knew that asbestos was a good insulating material and was heat resistant and would not burn. Additionally, the packages of some materials were marked with the word "asbestos" as an ingredient to demonstrate the usefulness of the material.

28. Asbestos materials were phased out gradually over time, and by the late 1990s, measures were in place at the power plant that protected me from asbestos. Asbestos materials were labeled and covered and any time work was performed involving asbestos, precautions were taken to avoid dust exposure. We were instructed not to disturb the asbestos material that was in place. New asbestos products were not used or installed, and old asbestos material had largely been removed by this point in time. Therefore, I was not exposed to asbestos after the 1990s.



Michael H. Data

SWORN TO and SUBSCRIBED before
me this 24 day of
May, 2019.
Lisa Ann Rodgers
Notary Public

